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Or they may continue agents of the company so that service upon an employee is effective to bind the company. *Faltiska v. New York, L. E. & W. R. Co.*, 12 Misc. N. Y. 478, 33 N. Y. Supp. 679, affirmed 151 N. Y. 650, 46 N. E. 1146. That a receivership does not dissolve a corporation is well settled. See *Kincaid v. Dwinelle*, 59 N. Y. 548; *City Water Co. v. State*, 88 Tex. 600, 32 S. W. 1033. Stockholders may hold elections during the receivership. *State ex rel. Atty. Gen. v. Merchant*, 37 Ohio St. 251. The corporation itself must conform to police regulations enacted for public protection. *Ohio & M. R. R. Co. v. Russell*, 115 Ill. 52, 3 N. E. 561. It is liable for torts committed before receivership. *Decker v. Gardner*, 124 N. Y. 334, 26 N. E. 814. The receiver's possession of the property is but temporary. *Robinson v. Atlantic & G. W. Ry. Co.*, 66 Pa. St. 160. The Michigan court seems correct in finding no inconsistency in an agency for the railroad while employees are under the temporary management of the receiver. In the minds of its men and the public at large the road still operates; receivership signifies at most a change in management. Service on such agent meets the test of bringing notice of the suit to the company. See *Coler v. Pittsburgh Bridge Co.*, 84 Hun 285, 286, 32 N. Y. Supp. 439, 440.

SELF-DEFENSE — NECESSITY CREATED BY DEFENDANT — GOING ARMED NEAR ONE WHO HAS THREATENED. — In a trial for homicide, the court refused to instruct the jury that the defendant would not be deprived of his right of self-defense although he knew before entering the house of a mutual friend, where the encounter took place, that he would likely meet the deceased there, and that the deceased would likely attack him. *Held*, that the instruction was properly refused. *Valentine v. State*, 159 S. W. 26 (Ark.).

When a defendant enters the presence of one who has threatened him and being attacked kills the threatener, it is not clear on authority under what circumstances he retains his right of self-defense. Where the defendant went into the vicinity of the deceased on a mere pretext, knowing and intending that his presence alone would cause an attack, the excuse has been denied. *State v. Neely*, 20 Ia. 108; *State v. Hawkins*, 18 Ore. 476, 23 Pac. 475. See Y. B. 21 H. 7, 39, pl. 50. But a man may, if necessary, arm himself and go about his lawful business, in spite of the probability of thus causing an attempt upon his life, and yet be excused for killing in case of necessity. *People v. Batchelder*, 27 Cal. 69; *State v. Evans*, 124 Mo. 397, 28 S. W. 8. The excuse may well depend on the reason for the defendant's presence at the place. For the welfare of the community it is essential that a man should be free to come and go while concerned with earning his livelihood, but it is not so important that he should be protected in the pursuit of pleasure. See note, 8 HARV. L. REV. 355. The principal case is correct on the ground that the defendant may have been engaged in the pursuit of no legitimate interest to which the law affords such protection. A previous Arkansas case has a contrary tendency. *Nash v. State*, 73 Ark. 399, 84 S. W. 497.

SPECIFIC PERFORMANCE — LEGAL CONSEQUENCES OF RIGHT OF SPECIFIC PERFORMANCE — RIGHT OF PERSONAL REPRESENTATIVE OF VENDOR TO PURCHASE MONEY AFTER OPTION TO PURCHASE. — The owner of land leased it for a term of years giving an option to purchase. After his death the option was exercised. *Held*, that the general legatee, and not the heirs, are entitled to the proceeds. *McCutcheon's Estate*, 61 Pitts. Leg. J. 315 (Allegheny Co., 1913). See NOTES, p. 79.

TELEGRAPH AND TELEPHONE COMPANIES — CONTRACTS AND STIPULATIONS LIMITING LIABILITY — UNREPEATED MESSAGES. — A mistake due to the negligence of an agent of the defendant occurred in an unrepeated message sent under a stipulation limiting liability to the amount of the toll charge.